

### REMARKS

In response to the restriction requirement mailed October 6, 2005, Applicants hereby elect Group I, containing claims 1-56, under 37 C.F.R. 1.143 for prosecution on the merits. Applicants have canceled claims 57-62 from prosecution, without prejudice.

The foregoing election has been submitted to place the present application in condition for allowance. Favorable consideration and allowance of the claims in this application is respectfully requested. In the event that there are any questions concerning this Amendment or the application in general, the Examiner is cordially invited to telephone the undersigned attorney so that prosecution may be expedited.

Respectfully submitted,  
NUVASIVE, INC.

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